

S.N.: 10/581,207
Art Unit: 2617

REMARKS

The Applicants hereby elect the claims of Group I for prosecution on the merits. The election is made with traverse, as it is believed that both groups of claims could be (and have previously been) examined together. Both groups of claims relate at least in part to detecting that a network element is out of service.

Further, the Examiner's statement that he has required restriction between product and process claims is not clearly understood, as both groups of claims include both apparatus and method claims.

An early notification of the allowability of all of the pending claims is earnestly solicited.

Respectfully submitted:



Harry F. Smith

9/22/2009

Date

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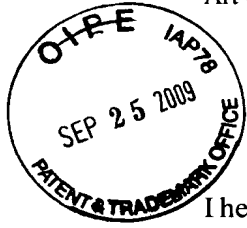
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.

9-22-09

Date

A handwritten signature in cursive script, appearing to read "Paul C. W. Smith", written over a horizontal line.

Name of Person Making Deposit